

1 Introduced by Committee on Government Operations

2 Date:

3 Subject: Emergency medical services; credentialing; ambulance license terms;
4 ambulance service health insurance reimbursement; Department of
5 Public Safety; Electricians' Licensing Board; Plumbers' Examining
6 Board; license extension; county reserve funds; sheriff emergency
7 needs; COVID-19 response

8 Statement of purpose of bill as introduced: In response to COVID-19, this bill
9 proposes to:

10 (1) eliminate the requirement that emergency medical personnel be
11 credentialed by their affiliated agency;

12 (2) extend ambulance license terms from one to three years;

13 (3) require the Department of Financial Regulation to enforce the
14 current law requirement for health insurers to directly reimburse ambulance
15 services for the emergency medical treatment they provide;

16 (4) provide a temporary extension for electrician and plumber license
17 renewal; and

18 (5) allow a county's reserve funds to be used for the sheriff's emergency
19 needs relating to COVID-19.

1 An act relating to government operations regarding emergency medical
2 services and public safety in response to COVID-19

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. 24 V.S.A. chapter 71 is amended to read:

5 CHAPTER 71. AMBULANCE SERVICES

6 Subchapter 1. Emergency Medical Services Districts

7 * * *

8 § 2657. PURPOSES AND POWERS OF EMERGENCY MEDICAL
9 SERVICES DISTRICTS

10 (a) It shall be the function of each emergency medical services district to
11 foster and coordinate emergency medical services within the district, in the
12 interest of affording adequate ambulance services within the district. Each
13 emergency medical services district shall have powers ~~which~~ that include the
14 power to:

15 * * *

16 (3) enter into agreements and contracts for furnishing technical,
17 educational, and support services ~~and credentialing~~ related to the provision of
18 emergency medical treatment;

19 * * *

20 (10) assist the Department of Health in a program of testing for
21 licensure of emergency medical services personnel;

1 § 2683. TERM OF LICENSE

2 Full licenses shall be issued on forms to be prescribed by the State Board
3 for a period of ~~one year~~ three years beginning on January 1, or for the balance
4 of any such ~~year~~ three-year period. Temporary, conditional, or provisional
5 licenses may also be issued by the Board.

6 * * *

7 § 2689. REIMBURSEMENT FOR AMBULANCE SERVICE PROVIDERS

8 (a)(1) When an ambulance service provides emergency medical treatment
9 to a person who is insured by a health insurance policy, plan, or contract that
10 provides benefits for emergency medical treatment, the health insurer shall
11 reimburse the ambulance service directly, subject to the terms and conditions
12 of the health insurance policy, plan, or contract.

13 (2) The Department of Financial Regulation shall enforce the provisions
14 of this subsection.

15 (b) Nothing in this section shall be construed to interfere with coordination
16 of benefits or to require a health insurer to provide coverage for services not
17 otherwise covered under the insured's policy, plan, or contract.

18 (c) Nothing in this section shall preclude an insurer from negotiating with
19 and subsequently entering into a contract with a nonparticipating ambulance
20 service to establish rates of reimbursement for emergency medical treatment.

1 Sec. 2. DEPARTMENT OF FINANCIAL REGULATION; REPORT ON
2 ENFORCEMENT OF HEALTH INSURER REIMBURSEMENTS
3 TO AMBULANCE SERVICES

4 On or before January 15, 2021, the Department of Financial Regulation
5 shall report to the Senate Committees on Government Operations and on
6 Health and Welfare and the House Committees on Government Operations and
7 on Health Care regarding its enforcement of 24 V.S.A. § 2689(a) (health
8 insurers' direct reimbursement to ambulance services) as set forth in Sec. 1 of
9 this act.

10 Sec. 3. 18 V.S.A. chapter 17 is amended to read:

11 CHAPTER 17. EMERGENCY MEDICAL SERVICES

12 § 901. POLICY

13 It is the policy of the State of Vermont that all persons who suffer sudden
14 and unexpected illness or injury should have access to the emergency medical
15 services system in order to prevent loss of life or the aggravation of the illness
16 or injury, and to alleviate suffering.

17 (1) The system should include competent emergency medical ~~care~~
18 treatment provided by adequately trained, licensed, ~~credentialed~~, and equipped
19 personnel acting under appropriate medical control.

1 ~~consist of the minimum and appropriate requirements necessary to ensure that~~
2 ~~an emergency medical provider can demonstrate the competence and minimum~~
3 ~~skills necessary to practice within his or her scope of licensure. Any rule shall~~
4 ~~balance the need for documenting competency against the burden placed on~~
5 ~~rural or smaller volunteer squads with little or no administrative staff.~~

6 [Repealed.]

7 * * *

8 (10) Establishing, by rule, license levels for emergency medical
9 personnel. The Commissioner shall use the guidelines established by the
10 National Highway Traffic Safety Administration (NHTSA) in the U.S.
11 Department of Transportation as a standard or other comparable standards,
12 except that a felony conviction shall not necessarily disqualify an applicant.
13 The rules shall also provide that:

14 * * *

15 (B) An individual licensed by the Commissioner as an emergency
16 medical technician, advanced emergency medical technician, or a paramedic,
17 ~~who is credentialed by an affiliated agency,~~ shall be able to practice fully
18 within the scope of practice for such level of licensure as defined by NHTSA's
19 National EMS Scope of Practice Model consistent with the license level of the
20 affiliated agency, and subject to the medical direction of the emergency
21 medical services district medical advisor.

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(E) An applicant who has served as a hospital corpsman or a medic in the U.S. Armed Forces, or who is licensed as a registered nurse or a physician assistant shall be granted a permanent waiver of the training requirements to become a licensed emergency medical technician, an advanced emergency medical technician, or a paramedic, provided the applicant passes the applicable examination approved by the Commissioner for that level of licensure ~~and further provided that the applicant is credentialed by an affiliated agency.~~

(F) An applicant who is registered on the National Registry of Emergency Medical Technicians as an emergency medical technician, an advanced emergency medical technician, or a paramedic shall be granted licensure as a Vermont emergency medical technician, an advanced emergency medical technician, or a paramedic without the need for further testing, provided he or she is ~~credentialed by an affiliated agency or is serving as a medic with the Vermont National Guard.~~

* * *

§ 909. EMS ADVISORY COMMITTEE

(a) The Commissioner shall establish ~~an advisory committee~~ the Emergency Medical Services Advisory Committee to advise on matters relating to the delivery of emergency medical services (EMS) in Vermont.

1 (b) The ~~Emergency Medical Services Advisory~~ Committee shall include
2 the following members:

3 * * *

4 (e) ~~Beginning~~ Annually, on or before January 1, ~~2019~~, the Committee shall
5 report ~~annually~~ on the ~~emergency medical services~~ EMS system to the House
6 Committees on Government Operations, on Commerce and Economic
7 Development, and on Human Services and to the Senate Committees on
8 Government Operations, on Economic Development, Housing and General
9 Affairs, and on Health and Welfare. The Committee's reports shall include
10 information on the following:

11 * * *

12 (5) funding mechanisms and funding gaps for EMS personnel and
13 providers across the State, including for the funding of infrastructure,
14 equipment, and operations and costs associated with initial and continuing
15 training; and licensure, ~~and credentialing~~ of personnel;

16 * * *

17 (8) how the current system of preparing and licensing EMS personnel
18 could be improved, including the role of Vermont Technical College's EMS
19 program; whether the State should create an EMS academy; and how such an
20 EMS academy should be structured; and

21 (9) how EMS instructor training and licensing could be improved; ~~and~~

1 ~~(10) the impact of the State’s credentialing requirements for EMS~~
2 ~~personnel on EMS providers.~~

3 Sec. 4. DEPARTMENT OF PUBLIC SAFETY; ELECTRICIANS’

4 LICENSING BOARD; PLUMBERS’ EXAMINING BOARD;

5 TEMPORARY LICENSE EXTENSION AND LATE FEE WAIVER

6 Notwithstanding the provisions of 26 V.S.A. §§ 908 (electricians) and 2195
7 (plumbers) regulating the renewal of licenses by the Electricians’ Licensing
8 Board and Plumbers’ Examining Board, all electrician and plumber licenses
9 that were due to expire between March 30, 2020 and September 30, 2020 shall
10 remain valid and be deemed to expire on September 30, 2020, and any
11 associated late fees for renewal that would have applied during that time frame
12 shall be waived.

13 Sec. 5. COVID-19 STATE OF EMERGENCY; COUNTY RESERVE

14 FUNDS; COUNTY SHERIFFS; FUNDING OF EMERGENCY

15 NEEDS

16 (a) Funding.

17 (1) To support the emergency needs of sheriffs due to the State’s
18 COVID-19 response, a county’s reserve funds described in 24 V.S.A. § 133(e)
19 shall be allowed to be used for the emergency needs of the county sheriff.
20 “Emergency needs” means the needs to respond to COVID-19 and includes

1 hiring deputies, dispatchers, and other personnel and purchasing equipment
2 and supplies.

3 (2) The funding of these emergency needs under this subsection shall be
4 in addition to the support of the sheriff’s department set forth in 24 V.S.A.
5 § 73.

6 (b) Application for reimbursement. Any sheriff who receives county
7 reserve funds for emergency needs under subsection (a) of this section shall
8 apply to the Federal Emergency Management Agency (FEMA) and any other
9 applicable resources for COVID-19 relief known to the sheriff for any
10 allowable reimbursement.

11 (c) Sunset. This section shall be repealed two weeks after the day the
12 Governor terminates the state of emergency for the State of Vermont in
13 response to COVID-19.

14 Sec. 6. EFFECTIVE DATE

15 This act shall take effect on passage.